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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BANK OF AMERICA, N.A.,
Plaintiff,

vs.

SILVER TERRACE II LANDSCAPE
MAINTENANCE ASSOCIATION;
RAVENSTAR INVESTMENTS, LLC;
RONALD L. BRANDON; PHIL FRINK &
ASSOCIATES, INC.; GAYLE A. KERN, LTD.
DBA KERN & ASSOCIATES, LTD,

Defendants.

Case No.: 3:16-cv-00714-MMD-WGC

**MOTION FOR EXTENSION OF TIME TO
FILE JOINT STATUS REPORT
PURSUANT TO COURT'S AUGUST 10,
2018 ORDER [ECF NO. 77]
(FIRST REQUEST)**

Plaintiff Bank of America, N.A. (BANA), and Defendants Silver Terrace II Landscape Maintenance Association (Silver Terrace), Ravenstar Investments, LLC and (Ravenstar), stipulate and move the court for a fourteen-day extension of time to file a status report pursuant to the court's August 10, 2018 Order:

1. On December 12, 2017 this court stayed this case pending the outcome of Raventar's bankruptcy, except for pending motions to dismiss. ECF No. 71.
2. On January 9, 2018, the court granted Kern's motion to dismiss with prejudice, dismissing all claims against A. Kern, Ltd. d/b/a Kern & Associates, Ltd. ECF No. 74, 75.

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1 3. On January 9, 2018 the court Silver Terrace Landscape Maintenance, II's motion to
2 dismiss as to the second and third claims of the complaint and denied the motion to dismiss as to the
3 first claim for quiet title. ECF No. 74. Parties are to file a status report within seven days of the
4 resolution of Ravenstar's bankruptcy or lifting of the stay. *Id.*

5 4. The Nevada Supreme Court answered the certified question on August 2, 2018. *SFR*
6 *Invs. Pool I, LLC*, No. 72931, 2018 WL 3655608, at *1 (Nev. Aug. 2, 2018).

7 5. On August 10, 2018, the court directed the parties to file a status report on the
8 resolution of the certified question in Nev. S.Ct. Case No. 72931 by August 17, 2018. ECF No. 77.

9 6. Good cause exists to extend the parties' deadline to file a status report by fourteen
10 days, from August 17, 2018 to August 31, 2018. Bank of America's counsel, Akerman LLP, is
11 counsel of record for the plaintiff in numerous cases pending in this court, and soon due in other
12 federal courts, requiring a status report due on various dates. Additional time is needed to confer
13 with opposing counsel and prepare a report outlining the parties' respective positions on the current
14 status and future trajectory of this case in light of the Nevada Supreme Court's ruling.

15 7. Counsel for Bank of America communicated with Silver Terrace' counsel regarding
16 the need for an extension and he was in agreement. Counsel sent an email to Ravenstar's counsel but
17 has not spoken to him regarding his position on an extension.

18 8. This is the Bank of America's first request for an extension and is not intended for the
19 purpose of delay or prejudicing any party.

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1 WHEREFORE, Bank of America respectfully request the court extend the parties' deadline
2 to file a joint status report pursuant to the court's August 10, 2018 order, ECF No. 77 up to, through
3 and including Friday, August 31, 2018, and grant such other and further relief as the court deems
4 proper

5 Respectfully submitted, this 17th day of August, 2018.

6 **AKERMAN LLP**

7 /s/ Karen A. Whelan, Esq.

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14 Attorneys for Plaintiff Bank of America, N.A.

15 **ORDER**

16 IT IS SO ORDERED.

17 

18 UNITED STATES DISTRICT JUDGE

19 DATED: august 21, 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Akerman LLP, and that on the 17th day of August, 2018, I caused to be served a true and correct copy of the foregoing **MOTION FOR EXTENSION OF TIME TO FILE JOINT STATUS REPORT PURSUANT TO COURT'S AUGUST 10, 2018 ORDER [ECF NO. 77] (FIRST REQUEST)**, in the following manner:

(ELECTRONIC SERVICE) Pursuant to FRCP 5(b), the above referenced document was electronically filed on the date hereof with the Clerk of the Court for the United States District Court by using the Court's CM/ECF system and served through the Court's Notice of electronic filing system automatically generated to those parties registered on the Court's Master E-Service List as follows:

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| LEWIS, BRISBOIS, BISGAARD, & SMITH LLP Marc S. Cwik, Esq. Bradley M. Marx, Esq. 6385 South Rainbow Blvd., Suite 600 Las Vegas, NV 89118 <i>Attorneys for Defendant Silver Terrace II Landscape Maintenance Association</i> | DARBY LAW PRACTICE, LTD. Kevin A. Darby, Esq. Tricia M. Darby, Esq. 200 S. Virginia Street, Suite 800 Reno, Nevada 89501 <i>Attorney for Defendant Ravenstar Investments, LLC</i> |
| KERN & ASSOCIATES, LTD. Gayle A. Kern, Esq. Karen M. Ayarbe, Esq. 5421 Kietzke Lane, Suite 200 Reno, NV 89511 <i>Attorneys for Gayle A. Kern, Ltd.</i> | |

/s/ Carla Llarena

An employee of AKERMAN LLP